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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IRINA VLADIMIROVNA ASTAFIEVA,

Plaintiff,

v.

MICHAEL CHERTOFF, Secretary of the
Department of Homeland Security

Defendants.

No. C 06-4820 JW (PVT)

**ORDER DENYING STIPULATION AS
MOOT**

IT IS HEREBY STIPULATED by and between Plaintiff Irina Vladimirovna Astafieva and remaining Defendant Michael Chertoff, Secretary of the Department of Homeland Security, by and through his attorneys of record as follows:

1. Pending with the Court is Plaintiff's motion for fees under the Equal Access to Justice Act and Defendant's Motion to reconsider.

2. On September 20, 2007, the Court vacated the hearing date on the motions and took the motions under submission.

3. The parties are very close to reaching a compromise settlement and respectfully ask that the Court hold this case in abeyance for 30 days in order to allow the parties to resolve the case without further litigation.

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Stipulation to Hold Case In Abeyance
C06-4820 JW (PVT)

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2 Dated: September 21, 2007

/s/
CHRISTOPHER KEROSKY
Attorney for Plaintiff

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5 SCOTT N. SCHOOLS
United States Attorney


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7 Dated: September 21, 2007

/s/
ILA C. DEISS
Assistant United States Attorney

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10 **ORDER**

11 Since the parties have filed a Stipulation and Proposed Order Approving Compromise Settlement,
12 this Stipulation is DENIED as moot.

13 Dated: October 22, 2007


JAMES WARE
United States District Judge